



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ilan Ben-Orën, Lewis Colman,  
Ephraim Carlebach  
Boaz Giron, and  
Gershon Levitsky

Serial No.: 09/508,805

Filed: March 16, 2000

For: ISOTOPIC GAS ANALYZER

Group Art Unit: Not Assigned

"Express Mail" mailing label No. EL 632 298 088 US

Date of Deposit: May 30, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Name: Barzilai Bakshi

Signature: [Signature]



COMMUNICATION IN RESPONSE TO NOTICE  
TO FILE MISSING PARTS OF APPLICATION

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Attn: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application dated April 28,

2000, copy attached, Applicant encloses copies of the following documents:

06/05/2000 PVOLPE 00000065 09508805

01 FC:254

65.00 OP

1. Declaration and Power of Attorney (4 pages);
2. Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) (1 page);
3. Small Entity Statement (1 page);
4. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371 (2 pages); and
5. check in the amount of \$65.00 for the surcharge for late filing of Declaration.

Applicant: Ilan Ben-Oren, Lewis Colman, Ephraim Carlebach, Boaz Giron, and  
Gershon Levitsky  
Serial No.: 09/508,805  
For: ISOTOPIC GAS ANALYZER  
Page 2

A response to the Notice to File Missing Parts is due May 28, 2000.  
Accordingly, this response is being timely filed.

Authorization is hereby given to charge any deficiency or credit any  
overpayment in the enclosed fees to Deposit Account No. 01-1785. A duplicate copy of this  
letter is enclosed. Please also acknowledge receipt of the enclosed documents by stamping  
the enclosed postcard and returning the same to us.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
Attorneys for Applicant  
90 Park Avenue  
New York, New York 10016  
(212) 697-5995

By 

Michael J. Berger  
Registration No. 25,829

Dated: May 30, 2000  
New York, New York

FORM PTO-1390 (REV 12-29-99)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>22350/12</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/508,805</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/IL98/00458</b>		INTERNATIONAL FILING DATE <b>17 SEPTEMBER 1998</b>		PRIORITY DATE CLAIMED <b>17 SEPTEMBER 1997</b>	
TITLE OF INVENTION <b>ISOTOPIC GAS ANALYZER</b>					
APPLICANT(S) FOR DO/EO/US <b>Ben-Oren, Colman, Carlebach, Giron, Levitsky</b>					
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. to 16. below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.  <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input type="checkbox"/> Other items or information:</li> </ol>					



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/508,805</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IL98/00458</b>		ATTORNEY'S DOCKET NUMBER <b>22350/12</b>	
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17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$970.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... <b>\$840.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$690.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$670.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$96.00</b> <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<b>CALCULATIONS    PTO USE ONLY</b>																	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<b>\$ 130.00</b>																	
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td></td> <td style="text-align: center;">X <b>\$18.00</b></td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td></td> <td style="text-align: center;">X <b>\$78.00</b></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: center;">+ <b>\$260.00</b></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		X <b>\$18.00</b>	Independent claims	- 3 =		X <b>\$78.00</b>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$260.00</b>	<b>\$</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	- 20 =		X <b>\$18.00</b>															
Independent claims	- 3 =		X <b>\$78.00</b>															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$260.00</b>															
<b>TOTAL OF ABOVE CALCULATIONS =</b>																		
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).																		
<b>SUBTOTAL =</b>																		
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																		
<b>TOTAL NATIONAL FEE =</b>																		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property																		
<b>TOTAL FEES ENCLOSED =</b>																		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;"></td> <td style="width:20%; text-align: center;">Amount to be</td> </tr> <tr> <td></td> <td style="text-align: center;"><del>refunded:</del></td> </tr> <tr> <td></td> <td style="text-align: center;">charged:</td> </tr> </table>					Amount to be		<del>refunded:</del>		charged:									
	Amount to be																	
	<del>refunded:</del>																	
	charged:																	

  

a. ☒ A check in the amount of \$ **65.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. **01-1785**. A duplicate copy of this sheet is enclosed.

  

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  

SEND ALL CORRESPONDENCE TO:

**AMSTER, ROTHSTEIN & EBENSTEIN**  
**90 PARK AVENUE**  
**NEW YORK, NEW YORK 10016**

SIGNATURE:  
**MICHAEL J. BERGER**

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NAME  
**25,829**

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REGISTRATION NUMBER

09/508805

09/508,805

U.S. APPLICATION NO.



BEN OREN

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

AMSTER ROTHSTEIN &amp; EBENSTEIN

5071

90 PARK AVENUE  
NEW YORK NY 10016

INTERNATIONAL APPLICATION NO. 158

I.A. DATE 10/9/98

PRIORITY DATE 7/97

04/28/00

DATE MAILED:

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 6 MAR 2000 and \_\_\_\_\_

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☐ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917: unsigned

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

305-3061